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11 Attorneys for Juicero Inc.

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 JUICERO INC., a Delaware corporation,

CASE NO. 5:17-cv-01921-BLF

15 Plaintiff,

**DECLARATION OF MIKE ROSENTHAL**

16 vs.

17 iTASTE CO., LTD., a/k/a iTaste Co., Ltd.  
Shanghai, China and Shanghai iTaste  
18 Electronics Technology Co., Ltd., d/b/a Juisir;  
FROOTHIE USA LLC, a Delaware limited  
liability company; and  
19 XIUXING “LEO” CHEN, an individual,

20 Defendants.

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**REDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED**

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1 I Mike Rosenthal, declare as follows:

2 1. I am currently employed by Juicero, Inc. ("Juicero") and serve as its Chief  
 3 Financial Officer. I have held that position since September 2015. As part of my responsibilities,  
 4 I oversee work done in various areas, including finance and accounting. Unless otherwise stated, I  
 5 have personal knowledge of the facts stated in this declaration, and I could and would competently  
 6 testify thereto if called as a witness.

7 2. Juicero was founded in 2013 by Doug Evans. I understand that after his mother  
 8 died of cancer and his father of heart disease, Doug set out to understand healthy nutrition and  
 9 devoted his life and career to enhancing access to organic, plant-based nutrition.

10 3. Doug began work on what is now the Juicero Press from his apartment. Juicero  
 11 currently operates out of headquarters in San Francisco, with marketing, finance, product  
 12 operations, hardware and software design, and customer support functions there, as well as  
 13 facilities for food manufacturing, processing, and packaging, research and development, logistics  
 14 fulfillment, and warehousing in Los Angeles. Juicero's 120 employees all work to support the  
 15 Juicero Press product, including preparing high quality, organic produce for the Produce Packs  
 16 used in the device.

17 4. The Juicero Press has been the recipient of various awards. It was named a Gold  
 18 Winner at the 2016 San Francisco Design Awards, it won the Editor's Choice Award at the 2016  
 19 Hotel Experience trade show, it received an honorable mention in the Health category at Fast  
 20 Company's 2016 Innovation by Design Awards, and earned a 2017 Innovation Award from the  
 21 National Association of College and University Food Service.

22 5. Juicero has spent substantial resources on designing, developing, and marketing the  
 23 Juicero Press. Since the beginning of the project, Juicero has spent approximately [REDACTED] on  
 24 research and development (R&D) personnel and expenses, approximately [REDACTED] on  
 25 equipment for R&D and manufacturing for the Juicero Press and Produce Packs, and another [REDACTED]  
 26 [REDACTED] in marketing expenses, including advertising, social media, promotional videos, and other  
 27 outreach activities, as well as marketing-related salaries. Since first shipping the product in May  
 28 2016, Juicero has sold more than [REDACTED] of the Juicero Press, generating revenue of [REDACTED]

1 [REDACTED] from sales of both the Juicero Press and the accompanying Produce Packs, and [REDACTED]  
2 [REDACTED]

3 6. The Juicero Press is critically important to Juicero's business, as the Juicero Press  
4 and the accompanying Produce Packs are the only products currently sold by Juicero.  
5 Competition from the Juisir could therefore not only result in potential lost sales of the Juicero  
6 Press, but also lost future sales of Produce Packs over the life of the device, in an amount that  
7 cannot be adequately quantified.

8 7. [REDACTED]

9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]

14 8. Consumers primarily buy the Juicero Press to have a countertop juicer that provides  
15 fresh, nutritious juice made quickly on site without the need to clean the machine after use. The  
16 prepackaged Produce Packs offer consumers ready-to-press, healthy, organic produce, and are  
17 intended to build a mutually beneficial relationship between Juicero Press users and Juicero that  
18 will last long after the initial purchase of the Juicero Press.

19 9. To protect its place in the juicer market, Juicero has taken steps to protect its  
20 proprietary information and inventions, including by obtaining U.S. Patent No. 9,493,298 (the  
21 "298 patent"). Juicero has never licensed the '298 patent, or any portion of it, for any reason,  
22 including to make, use, sell, or offer to sell any product practicing the patent, or to import any  
23 such product. Nor has Juicero ever been approached by any of the named defendants in this case  
24 to license the '298 patent. Juicero intends to be the sole entity to utilize the invention in the '298  
25 patent.

26 10. The financial and R&D information highlighted in this declaration is information  
27 that Juicero maintains as highly confidential in the ordinary course of business. This information  
28 is not shared with other companies. The information is also not widely disseminated even within

1 Juicero but is communicated only on a need-to-know basis among the company's management.  
2 Juicero maintains this secrecy to prevent other entities, including potential competitors, suppliers,  
3 and vendors, from using the information to Juicero's detriment.

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5 I declare under penalty of perjury that the foregoing is true and correct.

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7 Executed on May 16, 2017 at San Francisco, CA.

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By   
Mike Rosenthal

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